

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-52 will be pending.

Objections to the Specification

In Section 1 of the Office Action, the Examiner has objected to the Specification. The Specification has been amended, thereby obviating the objection. Accordingly, it is respectfully requested that this objection be withdrawn.

§102 Rejection of Claims 1-12, 15-25, 28-45, and 47-52

In Section 3 of the Office Action, claims 1-12, 15-25, 28-45, and 47-52 stand rejected under 35 U.S.C. §102(b) as being anticipated by Fenton *et al.* (U.S. Patent Application No. US 2002/194195; hereinafter referred to as “Fenton”). This rejection is respectfully traversed.

In the Background section of the Specification, it was stated that “[t]he emergence of a growing number of media players has created a widening gap between the richness of the various types of media content and the diverse capabilities of the client devices to handle the content. As a result, the technology selection process for the end user has become quite complicated. For example, the user often cannot be certain that a given media player will be able to play the type of media content in which he or she is interested. Also, the user may be required to frequently download new media playing software in order to access desired content.” *Background of the Specification, page 2, lines 8-14.*

To address the above-stated problem, embodiments of the present invention provide

systems, methods, and programs for accessing and utilizing media publishing. For example, the structure of system claim 1 includes:

- a network interface to connect the media publishing system to a user;*
- a plurality of web services to enable the user to build, publish, and access a media project using templates of media items grouped into categories; and*
- a data storage to provide a file system to said plurality of web services, where the file system allows the user to access media items.*

(emphasis added)

Accordingly, in one aspect of claim 1, the media publishing system includes at least a plurality of web services to enable the user to build, publish, and access a media project using templates of media items grouped into categories. “As described above, templates in the same category have the same number and genre of media slots. In one implementation, each category represents a type of presentation with each template in the category representing a particular style of that type of presentation. Examples of categories include, but are not limited to, albums, journals, scrapbooks, music players, e-cards, and games.” *Specification, page 13, lines 1-5.*

Therefore, the media publishing system of claim 1 provides services to enable the user to build, publish, and access a media project using media item templates grouped into categories (see Figures 28B to 28D for examples of media item templates of journal category, e-card category, music player category, and game category, respectively) to address the shortcomings of the conventional media publishing and to enhance the diverse capabilities of the client devices to handle the content.

By contrast, although Fenton appears to address tools for creating and/or editing media content, Fenton does not specifically indicate that tools include media item templates grouped

into categories. For example, although the Office Action states that "categories" reads on "asset packs" in paragraphs [0050] to [0051], these paragraphs state that "[t]hese asset packs may contain, for example, video, audio, and animation segments that may be incorporated into or combined with the user's own media content. For example, each asset pack may comprise audio and video segments related to a particular genre. As an example, an "action" asset pack may comprise video and/or audio segments of explosions, car chases, and gun battles. Similarly, a "comedy" asset pack may comprise video and/or audio segments of stand-up comedians, skits from television and radio shows, and scenes from comedy films. As an additional example, a "music" asset pack may contain video and/or audio segments of music being played by popular musical groups." Thus, it appears the asset packs in Fenton are similar to pre-defined media clips rather than media item templates grouped into categories. Therefore, Fenton fails to teach or suggest all the limitations of claim 1.

Based on the foregoing discussion, claim 1 should be allowable over Fenton. Further, since independent claims 23, 29, 47, 48, and 50-52 closely parallel, and recite substantially similar limitations as recited in, claim 1, claims 23, 29, 47, 48, and 50-52 should also be allowable over Fenton. Since claims 2-12, 15-22, 24, 25, 28, 30-45, and 49 depend from one of claims 1, 23, 29, and 48, claims 2-12, 15-22, 24, 25, 28, 30-45, and 49 should also be allowable over Fenton.

Accordingly, it is submitted that the rejection of claims 1-12, 15-25, 28-45, and 47-52 based upon 35 U.S.C. §102(b) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claims 13-14, 26-27 and 46

In Section 5 of the Office Action, the Examiner has rejected claims 13-14, 26-27 and 46 under 35 U.S.C. §103(a) as being unpatentable over Fenton in view of Masuoka *et al.* (U.S. Patent Application No. US 2004/0230636; hereinafter referred to as “Masuoka”). This rejection is respectfully traversed.

Based on the foregoing discussion regarding claims 1, 23, and 29, and since claims 13-14, 26-27, and 46 depend from one of claims 1, 23, and 29, claims 13-14, 26-27, and 46 should also be allowable over Fenton. Further, Masuoka was merely cited for teaching “task computing in which he teaches a web folder configured as a folder on the web browser. Therefore, Fenton and Masuoka, individually or in combination, fail to teach or suggest all the limitations of claims 13-14, 26-27, and 46.

Accordingly, it is submitted that the rejection of claims 13-14, 26-27, and 46 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment and the allowance of this application with claims 1-52 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of

patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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